

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARLTON LAMONT BROWN,

Petitioner,

v.

Civil Action Number: 2:11-cv-10808
Honorable Sean F. Cox

MITCH PERRY,

Respondent.

ORDER DENYING PETITIONER'S FOURTH MOTION FOR RECONSIDERATION

This 28 U.S.C. § 2254 matter is before the Court on Petitioner Carlton Lamont Brown's Fourth Motion for Reconsideration. Pet'r's Fourth Mot. for Recon., ECF No. 32. In this pending Motion, Petitioner again attempts to argue that the Court erred in its prior decision with respect to his First Motion for Reconsideration, finding that the Motion was untimely. *Brown v. Perry*, No. 2:11-cv-10808, 2012 WL 555408 (E.D. Mich. Feb. 21, 2012). The Court denied that Motion for the following reasons. The Court's Opinion and Order granting Respondent's Motion for Summary Judgment was entered on November 21, 2011. *Brown v. Perry*, No. 2:11-cv-10808, 2011 WL 5838677 (E.D. Mich. Nov.21, 2011). Because Petitioner only had fourteen days in which to file his Motion for Reconsideration, *see* E.D. Mich. LR 7.1(h)(1), he was required to file his Motion on or before December 5, 2011. Petitioner signed and dated his Motion on December 9, 2011. His Motion was untimely.

The Court did not err in that ruling. The Court also did not err in denying Petitioner's Second and Third Motions for Reconsideration. *Brown v. Perry*, No. 2:11;cv;10808, 2012 WL 1205789 (E.D. Mich. Apr. 11, 2012); *See* Order Den. Mot. for Recon., ECF No. 31.

The Court adheres to its positions and, for the reasons stated in this decision and its prior

decisions, the Court denies Petitioner's Fourth Motion for Reconsideration. Any future Motions for Reconsideration filed by Petitioner will be struck. This case is closed.

ORDER

The Court DENIES Petitioner's Fourth Motion for Reconsideration. Pet'r's Fourth Mot. for Recon., ECF No. 32.

IT IS SO ORDERED.

Dated: August 20, 2012

s/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on August 20, 2012, the foregoing document was served upon counsel of record by electronic means and upon by First Class Mail at the address below:

Carlton Brown
362723
Pugsley Correctional Facility
7401 East Walton Road
Kingsley, MI 49649

Dated: August 20, 2012

s/ Jennifer Hernandez
Case Manager